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SENATE

{ REPORT
No. 66

AZY AJDERIAN

JANUARY 29, 1951.—Ordered to be printed

Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 223]

The Committee on the Judiciary, to which was referred the bill (S. 223) for the relief of Azy Ajderian having considered the same, reports favorably thereon with an amendment in the nature of a substitute and recommends that the bill, as amended, do pass.

AMENDMENT

Strike all after the enacting clause and insert in lieu thereof the following:

That for the purposes of the immigration and naturalization laws, Azy Ajderian shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant the status of permanent residence in the United States to Azy Ajderian. Provision is made for an appropriate quota deduction, and for the payment of the required visa fee and head tax.

STATEMENT OF FACTS

The beneficiary of the bill is a 34-year-old native of Turkey and a citizen of Bulgaria. She entered the United States on December 30, 1947, as the fiancée of a United States citizen veteran of World War II. One of the conditions under which she was admitted was that her marriage take place within 3 months of the date of her admission to the United States. The beneficiary of the bill did not marry her fiancé within the 3 months prescribed by statute. Her mother is a lawful resident of the United States and her brother is a United States citizen.

A letter dated June 6, 1950, to the chairman of the Senate Committee on the Judiciary from the Deputy Attorney General with reference to S. 1819, which was a bill introduced in the Eighty-first Congress for the relief of the same alien, reads as follows:

DEPARTMENT OF JUSTICE,
OFFICE OF THE DEPUTY ATTORNEY GENERAL,
Washington, June 6, 1950.

Hon. PAT McCARRAN,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

MY DEAR SENATOR: This is in response to your request for the views of the Department of Justice relative to the bill (S. 1819) for the relief of Azy Ajderian.

The bill would provide that Azy Ajderian shall be considered to have been lawfully admitted to the United States for permanent residence as of December 30, 1947, and it would also direct the Secretary of State to instruct the quota-control officer to deduct one number from the appropriate immigration quota.

The files of the Immigration and Naturalization Service of this Department disclose that Azadouhy Michran Ajderian was born in Marsovan, Turkey, on January 1, 1916, and that she is a citizen of Bulgaria of the Armenian race. Coming from Sofia, Bulgaria, she entered the United States at the port of New York on December 30, 1947, when she was admitted for a period of 3 months under the provisions of Public Law 471, Seventy-ninth Congress, as amended, as the alien fiancée of Mr. Charles Paul Khitikian, a United States citizen veteran of World War II. A departure bond of \$500 was posted as required by Law. Miss Ajderian and her fiancé did not marry within the 3 months prescribed by the statute under which she was admitted, and she has unlawfully remained in the United States longer than such period. Action to enforce her departure was ordered held in abeyance pending consideration of the instant bill.

It further appears from the records in this case that Miss Ajderian had not met Mr. Khitikian before her admission to the United States, except through correspondence, by means of which their engagement was arranged. According to Mr. Khitikian, he met Miss Ajderian through her cousin, John Balaian, of New York City, and he saw her about six times over a period of 6 weeks before he decided not to go ahead with the marriage.

The alien's mother was admitted to the United States for permanent residence on August 30, 1948, as a preference-quota immigrant, upon the petition of her son, Thomas Ajderian of Drexel Hill, Pa. Her father is deceased. She stated she has not been employed in the United States, and has been entirely dependent upon her brother, a United States citizen, for support. Before coming to the United States the alien was employed as assistant librarian by the Information Service in Sofia. Individuals in the neighborhood where she resides, who have known her since January 1948, spoke favorably of her.

The quota for Turkey, to which Miss Ajderian is chargeable, is oversubscribed for several years and an immigration visa is not readily obtainable. The conditions under which she was admitted having failed, and no other basis to except her from the general provisions of the law appearing, there would seem to be no justification for preferential treatment as proposed in this case.

Accordingly, the Department of Justice is unable to recommend enactment of the bill.

Yours sincerely,

PEYTON FORD,
Deputy Attorney General.

Senator Clinton P. Anderson, the author of the bill, has submitted the following information with reference to the case:

UNITED STATES SENATE,
COMMITTEE ON AGRICULTURE AND FORESTRY,
August 8, 1949.

Hon. PAT McCARRAN,
Chairman, Senate Committee on the Judiciary,
Senate Office Building.

DEAR SENATOR McCARRAN: I have your letter of August 5 advising that it is the policy of your Subcommittee on Immigration and Naturalization, to which has been referred my bill, S. 1819, to take no action on a private measure until certain information is submitted.

As is apparent from the attached correspondence, and of this your committee is no doubt aware, my bill actually represents a reintroduction of S. 2555, which former Senator Carl A. Hatch submitted for the relief of Azy Ajderian in the Eightieth Congress, second session.

Among the attachments I am submitting in connection with your letter of the 5th, you will therefore find copies of statements furnished by former Senator Hatch to your committee; specifically, these may be identified as the statement of Jerome Collin of May 1, 1948, letter of Virginia E. McGonigal of May 10, 1948, and statement of Nejib Hekimian of May 11, 1948—all of which are no doubt still in your committee's files. The most recent correspondence, you will notice, serves as explanatory background to the introduction of S. 1819.

Sincerely yours,

CLINTON P. ANDERSON.

FLUSHING, N. Y., May 1, 1948.

To Whom It May Concern:

On March 25, 1947, while a member of the secretariat of the United Nations Balkans Commission, I had occasion to meet Miss Azy Ajderian at Sofia. At that time she was employed by the American Embassy as a librarian.

Since that time I have formed a most favorable impression of her character. Her conduct at all times unequivocally attests to her absolute truthfulness and sincerity. She has always, to my knowledge, maintained unimpeachable integrity. She has demonstrated to me her superior ability to assume responsibility and to meet responsibility with the full realization of the solemn obligations to be discharged. Miss Ajderian is deeply conscientious with regard to any obligations she accepts, and there is no question in my mind but that she will solemnly fulfill them.

She is obediently law-abiding and her moral conduct is exemplary.

JEROME COLLIN.

MAY 10, 1948.

Mr. CHAPMAN REVERCOMB,
Senate Committee on the Judiciary,
Senate Office Building, Washington, D. C.

DEAR MR. REVERCOMB: I am writing you in connection with a bill, S. 2555, introduced in the Senate of the United States on April 26, 1948, by Senator Carl A. Hatch, in connection with an application for permanent residence of Azy Ajderian, who entered the United States on December 30, 1947. I hope that the following information will be of assistance in this case.

I am employed by the Department of State and served from August 1945 until November 1947 as cultural attaché at the American Legation, Sofia, Bulgaria, now being assigned to the Department in Washington. My work in Bulgaria was with the informational and educational exchange program of the Department of State, and one of the phases of the work included the planning, equipping, installation, and supervision of an American library in Sofia, which was opened on November 15, 1945.

Two Bulgarians were employed by me for work in this library, and at that time Miss Azadouhy (Azy) Ajderian was hired as an assistant librarian. She was referred to me by Miss Mellon Turner, director of the American Girls School at Lovetch (Methodist missionary), at which school Miss Ajderian had been a student, and was highly recommended by Miss Turner, as well as by other references which were checked. Previous to the closing of the American College in Sofia, at

the beginning of the war, she had worked for 4 years in the bursar's office of that school.

Miss Ajderian continued in the employ of the American Legation until her departure for the United States in late November 1947, and during those 2 years was a very loyal and capable employee and contributed greatly to the efficient operation of the American library.

Miss Ajderian and her mother were alone in Bulgaria and desired to come to the United States to join her brother who has been an American citizen for a number of years, serving in World War II.

If granted permanent residence, I feel that she, as well as her mother, will become good and valuable citizens of the United States.

The mother, presently waiting in Paris, France, for permission to enter on the Turkish preference quota, worked for many years at the American College in Sofia and also is very well thought of. Both, of course, have a good command of the English language.

I shall be glad to appear before your committee at any time if I can be of further help on this application, and hope that favorable action will be taken.

Sincerely yours,

VIRGINIA E. MCGONIGAL.

NEJIB HEKIMIAN GALLERIES,
Washington, D. C., May 11, 1948.

To Whom It May Concern:

On December 30, 1947, Miss Ajderian was permitted to enter the United States for a period of 90 days for the purpose of marrying an American citizen. Upon her arrival here she refused to marry the person in question as she found him a person not fit to be her husband.

At the present time the lady in question has no position because under the immigration laws she is not permitted to work while in this country as a visitor. She is, nevertheless, living with her brother, Thomas Ajderian, a United States veteran of World War II, who is now operating a dry-cleaning plant in Philadelphia, Pa. There is no doubt that because of Miss Ajderian's past education and experience she will have no difficulty in this country in obtaining a position; and we can assure you that she will never become a public charge.

Miss Ajderian is not engaged in any activities, political or otherwise, injurious to the American public interest. In fact, she has shown much interest in the American way of living and is very devoted to her brother, Thomas. She has never been convicted of any offense under our Federal or State laws, or the laws of any nation.

I also would like you to make reference to a letter written by Miss Virginia B. McGonigal on May 10, 1948, addressed to the Honorable Chapman Revercomb.

Respectfully yours,

NEJIB HEKIMAN.

The bill has been amended to conform with the policy of the committee in granting permanent residence in the United States to an alien as of the date of the adjustment rather than as of the date of last entry into the United States.

The committee, after consideration of all the facts in the case is of the opinion that the bill (S. 223), as amended, should be enacted.